



State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-5171



August 22, 2002

**LETTER OF DEFICIENCY WSEB #02-97**  
CERTIFIED MAIL # 7099 3400 0018 5776 3131

David Moriarty  
Birch Bend Condominiums  
PO Box 780  
Campton, NH 03223

Subject: Thornton – Public Water System: Birch Bend (EPA #2342090)

Dear Mr. Moriarty:

The records of the Department of Environmental Services (DES) show that the Birch Bend water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner, in compliance with NH Administrative Rule Env-Ws 303.03, is required to obtain a "permit to operate" from DES. This permit is renewable on July 1 of each year. According to NH Admin. Rule 303.03(e)(2), community water systems having fewer than 30 household service connections or equivalents shall pay a permit to operate fee of \$10 per household service connection per fiscal year.

Our records indicate that the Birch Bend water system has 11 household service connections and is, therefore, required to pay a permit to operate fee of \$110.00 per state fiscal year. DES records show that the Birch Bend Condominiums has failed to pay for and obtain a permit to operate for state fiscal year 2003 and is, therefore, in violation of NH Admin. Rule Env-Ws 303.03.

This violation can be corrected by taking the following action:

**By September 5, 2002**, complete the permit application, make any necessary corrections to the "Contact Information Report," and pay the outstanding permit to operate fee of \$110.00 for fiscal year 2003.

In the event compliance is not achieved within this period, DES will take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The permit to operate application, updated Contact Information Report, and fee should be sent to:

Department of Environmental Services  
Attn: Linda Thompson  
Water Supply Engineering Bureau  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

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Birch Bend

August 22, 2002


Page 2 of 2

For your convenience, a new permit application and Contact Information Report are enclosed. **Please review the application, make the necessary corrections, sign and return it to this office with payment. Please also review and make any necessary corrections to the Contact Information Report.** Checks should be made payable to "Treasurer, State of New Hampshire." Please include your system EPA number (EPA #2342090) on the check.

Please contact Alan Leach by phone at (603) 271-2854, or by e-mail at [aleach@des.state.nh.us](mailto:aleach@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

  
**COPY**

 Anthony P. Giunta, P.G., Administrator  
Water Supply Engineering Bureau

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Enclosure: Permit Application  
Contact Information Report

cc: Gretchen Rule, DES Legal Unit (w/o encl.)  
Marianne Peabody, Town of Thornton Health Officer (w/o encl.)  
Todd Richardson, Primary Operator (w/o encl.)